

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney docket 01053
(MBHB 03-887)

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| Applicant: | Michael J. Justin, et al. |) | |
| | |) | |
| Serial No. | 10/695,550 |) | |
| | |) | Group 1797 |
| Filed: | October 28, 2003 |) | |
| | |) | Examiner Levkovich |
| Title: | Transport System for Test Sample Carrier |) | |
| | |) | Confirmation no. 5431 |

**PETITION UNDER 37 CFR §1.313(C)(2) FOR WITHDRAWAL FROM ISSUE
TO FILE AN RCE TO PERMIT CONSIDERATION
OF AN INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97**

Office of Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

PETITION

1. Applicant hereby petitions for the withdrawal of this application from issue.

PATENT ISSUE FEE

2. The issue fee for this case was mailed to the US PTO on December 22, 2008. It is not known when this application is scheduled for issuance.

REASONS FOR WITHDRAWAL REQUEST

3. The reason for withdrawal from issue is for consideration of an information disclosure statement in an Request for Continued Examination. See 37 C.F.R. § 1.313(c)(2). The

information disclosure statement discloses references cited in an office action from a Japanese counterpart application dated October 28, 2008.

FILING OF A REQUEST FOR CONTINUED EXAMINATION (RCE)

4. A Request for Continued Examination and Information Disclosure Statement accompanies this Petition.

5. **PETITION FEES (37 C.F.R. § 1.17(h))**

The petition fee set forth in § 1.17(h), required by 37 C.F.R. § 1.313(a) is paid as follows:

The petition fee is being paid electronically.

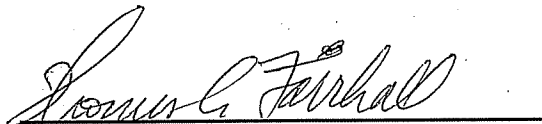
Authorization is hereby made to charge Deposit Account No. 13-2490 for any additional fees required by this paper or to credit any overpayment in the manner authorized above.

Respectfully submitted,

**McDonnell Boehnen
Hulbert & Berghoff LLP**

Dated: January 22, 2009

By:



Thomas A. Fairhall
Reg. No. 34591